physiological state satisfies specific conditions and the blood pressure is a specific value.

3. (Amended) A device for controlling a physiological state comprising:

a measuring means for measuring an indicator of a physiological state related to arousal or sedation in a patient;

a first recording means for storing an indicator of a desirable physiological state;

a first administering means for administering a drug to the patient which will elicit a state of arousal;

a second administering means for administering a drug to the patient which will elicit a state of sedation; and

A1

a drug administration control means for comparing the indicator measured by the measuring means and the indicator stored in the first recording means, and for issuing a command, after a decision has been reached that the patient is in a state of sedation, the command to administer a drug to the patient which will elicit a state of arousal by the first administering means.

4. (Amended) A device for controlling a physiological state comprising:

a measuring means for measuring an indicator of a physiological state related to arousal or sedation in a patient;

a first recording means for storing an indicator of a desirable physiological state;

a first administering means for administering a drug to the patient which will elicit a state of arousal;

a second administering means for administering a drug to the patient which will elicit a state of sedation; and

a drug administration control means for comparing the indicator measured by the measuring means and the indicator stored in the first recording means, and for issuing a command, after a decision has been reached that the

patient is in a state of arousal, the command to administer a drug to the patient which will elicit a state of sedation by the second administering means.

A1

5. (Amended) A device for controlling a physiological state according to claim 4, wherein the drug administration control means issues a command to carry out drug administration only when a specified period of time has elapsed since the previous administration of the drug.

A2

9. (Amended) A device for controlling a physiological state, comprising:

a measuring means for measuring an indicator of a physiological state related to arousal or sedation in a patient;

an administering means for administering a drug to the patient;

a drug administration control means for issuing a command to the administering means for drug administration when the indicator of the physiological state satisfies specific conditions; and

a means for detecting the output of a drug administration command, for determining from the point of this detection whether or not the indicator of physiological state has reached a state which does not satisfy the specified conditions, and for providing notification when the indicator of the physiological state has reached a state which does not satisfy the specified conditions.

10. (Amended) A device for controlling a physiological state according to claim 9, wherein the administering means comprises an infuser of the drug.

11. (Amended) A device for controlling a physiological state, comprising:

a measuring means for measuring an indicator of a physiological state related to arousal or sedation in a patient;

an administering means for administering a drug to the patient;

a blood pulse detector for detecting a blood pulse cycle of blood sent from the patient's heart; and

a drug administration control means for issuing a command to the administering means for drug administration when the indicator of the physiological state satisfies specific conditions,

wherein the drug administration control means issues a command to administer a drug to the administering means during the time interval from one blood pulse beat to the next blood pulse beat in synchronization with the blood pulse cycle.

A2

19. (Amended) A device for controlling a physiological state according to claim 16, wherein the control means selects a specified time period, and outputs a command to administer a drug when the indicator during the specified time period deviates a fixed amount above a moving average obtained in the past for the indicator.

A3

Please add the following new claims:

31. (New) A device for controlling a physiological state according to claim 2, wherein the drug administration control means issues a command to carry out drug administration only when a specified period of time has elapsed since the previous administration of the drug.

A4

32. (New) A device for controlling a physiological state according to claim 2, wherein the administering means comprises an infuser of the drug.

33. (New) A device for controlling a physiological state according to claim 2, wherein the administering means comprises an emission of the drug.

34. (New) A device for controlling a physiological state according to claim 3, wherein the drug administration control means issues a command to carry out drug administration only when a specified period of time has elapsed since the previous administration of the drug.

35. (New) A device for controlling a physiological state according to claim 3, wherein the first and second administering means comprise an infuser of the drug.

36. (New) A device for controlling a physiological state according to claim 3, wherein the first and second administering means comprise an emission of the drug.

37. (New) A device for controlling a physiological state according to claim 4, wherein the first and second administering means comprise an infuser of the drug.

38. (New) A device for controlling a physiological state according to claim 4, wherein the first and second administering means comprise an emission of the drug.

39. (New) A device for controlling a physiological state according to claim 9, wherein the administering means comprises an emission of the drug.

40. (New) A device for controlling a physiological state according to claim 11, wherein the administering means comprises an emission of the drug.

41. (New) A device for controlling a physiological state according to claim 13, wherein the administering means comprises an emission of the drug.

42. (New) A device for controlling a physiological state according to claim 16, wherein the administering means comprises an emission of the drug.

REMARKS

Reconsideration of the subject application is respectfully requested.

Claims 13, 14, 16, 17, and 25 were rejected under 35 U.S.C. 102(e) as being anticipated by Amano et al. (5,730,137). Claim 19 was rejected under 35 103(a) as being unpatentable over Amano et al. in view of Falcone et al. (5,464,012). Claim 21 was rejected under 35 103(a) as being unpatentable over Amano et al. in view of Valcke et al. Claims 22-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Amano et al. in view of Valcke et al., and further in view of Coutre et al. Each of these rejections is respectfully traversed, firstly because applicant's disagree that the claimed invention is anticipated or obvious in view of the cited references, and secondly because Amano et al. (5,730,137) is not a proper reference under 35 U.S.C. 102(e)/ 103(a) because the inventorship is identical between Amano et al. (5,730,137) and the subject application. Amano et al. (5,730,137) names as inventors Kazuhiko Amano, Kazuo **Kodama**, and Hitoshi Ishiyama. The present application names as